

DEPARTMENT OF THE ARMY
SENIOR MISSION COMMANDER - BAUMHOLDER
APO AE 09034

AETV-BHR-SMC

07 SEP 2005

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Senior Mission Commander (SMC) Policy Letter 1-10, Off-Post Pass Privileges

1. References.

- a. AR 600-8-10, Leaves and Passes, 31 July 2003.
- b. SMC Policy Letter 1-5, Standards of Conduct, 27 July 2005.
- c. SMC Policy Letter 1-6, Control of Alcohol Use, 27 July 2005.

2. Purpose. To identify benchmarks for the granting and suspension of off-post pass privileges.

3. Applicability. Applies to all officers, warrant officers and enlisted Soldiers, assigned or attached to units within the Baumholder Military Community and subject to the special court-martial jurisdiction of the Commander, 2d Brigade or the Commander, Division Artillery, 1st Armored Division.

4. Definitions.

a. Pass. A regular pass is a short, non-chargeable, authorized absence from post or place of duty during normal off-duty hours. A regular pass begins and ends on post, at duty location, or at the location from where the Soldier normally commutes to duty. A regular pass will normally be from the end of normal duty hours on a duty day to the beginning of working hours the next duty day. The unit commander is the approval authority for all passes.

b. Alcohol related incident. Any incident occurring on or off post that is prejudicial to good order and discipline and involves the consumption of alcohol, including violations of the open container provisions of SMC Policy Letter 1-6.

c. Disorderly conduct. Any incident occurring on or off post where a Soldier damages host nation or personal property in any manner; assaults another person; makes provoking gestures to another person; or uses foul, insulting, or threatening language, in violation of SMC Policy Letter 1-5.

5. Policy.

a. Any Soldier who has committed an alcohol related incident or engaged in disorderly conduct, as defined above, shall have his or her off-post privileges immediately suspended as follows:

(1) First incident: suspension for 30 days.

(2) Second incident: suspension for 90 days.

(3) Third and subsequent incidents: suspension for 180 days.

b. Soldiers who must travel off-post for official duties or reside off-post will be signed out each day by their First Sergeant during the period of the suspension.

c. This policy is an administrative mechanism intended to prevent misconduct and protect German-American relations in the local community by allowing a cooling-off period after an incident occurs. Soldiers who have their off-post pass privileges suspended shall not be restricted in any way on post unless the unit commander determines that such restriction is necessary in a particular case and only after consulting with the unit's trial counsel.

6. Procedures and Responsibilities.

a. Company/Battery/Troop Commanders:

(1) Post this policy memorandum in the unit area and brief the contents of the policy letter as part of each week's safety briefing.

(2) Monitor all incidents that require processing in accordance with this policy.

(3) Conduct a preliminary investigation to verify the authenticity of any initial report that a Soldier committed an alcohol related incident or engaged in disorderly conduct. If a commander verifies the authenticity of the report, the commander will immediately notify the Soldier involved in the incident that his or her off-post pass privileges are suspended in accordance with paragraph 5a of this policy by order of the Senior Mission Commander. The notification must be in writing. The commander will ensure the incident is investigated to determine if it is more likely than not that the Soldier committed an alcohol related incident or engaged in disorderly conduct. If the misconduct is not substantiated, Company, Battery and Troop Commanders are delegated the authority to immediately lift the suspension of off-post pass privileges.

(4) Refer all Soldiers involved in alcohol related incidents to the Army Substance Abuse Program (ASAP) for treatment.

(5) Conduct a written after action review (AAR) for each incident NLT COB on the first duty day after the incident. Submit a copy of each AAR to the battalion commander within the next 24 hours.

(6) Provide a list of Soldiers who have had their off-post pass privileges suspended to the Military Police Desk Sergeant and to the Battalion Staff Duty Officer.

b. Battalion Commanders:

(1) Monitor enforcement of this policy.

(2) Ensure that Staff Duty Officers (SDO) have a current list of Soldiers who have had their off-post pass privileges suspended. Ensure that the Military Police Desk Sergeant has a current copy of the SDO duty roster.

(3) Collect AARs from each incident. Forward the AARs monthly, NLT the last duty day of each month, to the Division Safety Office. Provide a courtesy copy to the Senior Mission Commander. Submissions may be furnished electronically.

c. Provost Marshal's Office (PMO):

(1) Furnish unit commanders with a copy of the daily Military Police Desk blotter and copies of military police reports, chemical results, witness statements and other information related to incidents processed in accordance with this policy.

(2) Maintain a current list of Soldiers who have had their off-post pass privileges suspended.

(3) Ensure that the Desk Sergeant or other appropriate official briefs all Military Police patrols and courtesy patrols on the list of Soldiers who have had their off-post pass privileges suspended.

d. Requests for Reconsideration or for Limited Pass Privileges

(1) The authority to respond to requests for reconsideration of the suspension, or for the issuance of limited pass privileges, is delegated to the battalion commander in the Soldier's chain of command.

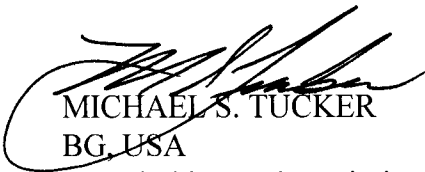
(2) The battalion commander will determine whether to reinstate pass privileges or grant limited pass privileges based on any of the following: successful completion of ASAP training and subsequent good conduct; a need to go off-post for a special reason, or any other reason for good cause.

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7. Violations of this policy may subject Soldiers to punishment under Article 92 of the Uniform Code of Military Justice.

8. The proponent for this policy is the Officer in Charge, Baumholder Legal Center, at DSN 485-7456.



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Baumholder Senior Mission Commander

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